IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

**HON'BLE SRI JUSTICE V.V.S. RAO**

W.P. No. 26220 OF 2005

Date: 14.12.2005

BETWEEN:

T. Subba Reddy

…. PETITIONER

And

1. The District Collector, Ongole, Prakasam District, and others.

…. RESPONDENTS

**HONOURABLE SRI JUSTICE V.V.S. RAO**

**WRIT PETITION No. 26220 OF 2005**

**ORDER**:

The petitioner is a resident of Cheruvukommupalem Village of Ongole Mandal in Prakasam District. He obtained lease of land in S.No.129/1B for a period of five years. He dug a bore-well, obtained electrical connection, and supplying water to the Railways for drinking purposes. He alleges that on 1.12.2005 at the instance of some third parties, the second respondent and his staff came to the land and orally directed him to close the bore-well, and threatened to seize the same. Aggrieved by the same he filed the present writ petition.

Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). There is no denial that as per the provisions of A.P. Water, Land & Trees Act, 2002 and the Rules made thereunder, whenever a bore-well is dug illegally and unauthorisedly, the Mandal Revenue Officer is required to issue a notice to the owner of the bore-well and take appropriate action. Without there being any such notice, the second respondent or any of the revenue officials cannot compel the petitioner to close the bore-well. The writ petition is filed on the apprehension that the second respondent might forcibly take away the bore-well. Therefore, the Writ Petition is disposed of at the admission stage with the above observations.

(**V.V.S. RAO, J.**)

14th December, 2005

Js.